

Attorney Docket No.: NL 040071 US1

**In the Drawings**

Please replace the drawing sheet including Figs. 1-3 with the attached Replacement Sheet. An Annotated drawing sheet showing the changes to Fig. 1 is also attached.

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**REMARKS****I. INTRODUCTION**

Claims 8 and 9 and the drawings have been amended. Claims 15-19 have been added; the Applicant respectfully submits that these new claims do not constitute new matter because they merely present subject matter previously presented in claim 8 in clearer language. Thus, claims 1-19 are now pending in the present application. No new matter has been added. In view of the above amendments and the following remarks, it is respectfully submitted that all of the pending claims are allowable.

**II. DRAWING OBJECTIONS**

The drawings stand objected to because Figure 1 does not comply with 37 C.F.R. § 1.84(o). (See 10/7/08 Office Action, p. 2.) In view of the amended drawings submitted herewith, it is respectfully submitted that this objection should be withdrawn.

**III. CLAIM REJECTIONS – 35 U.S.C. § 112**

Claims 8-10 stand rejected under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and claim the subject matter of the invention. (See 10/7/08 Office Action, p. 2.) Claim 8 stands rejected because the phrase “as such” renders the claim indefinite as it is unclear whether the following limitations are part of the invention. (See id., p. 2.) In view of the amendment to claim 8, it is respectfully submitted that this rejection should be withdrawn. Claims 9 and 10 stand rejected because it is unclear what is meant by the limitation “smartly docking the measurement object to the nearest.” (See id., pp. 2-3.) Claim 9 has been amended to clarify its language. Further, the Applicant respectfully submits that the limitation

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“smartly docking” is defined by the Specification. (See Specification, pp. 6-12.) Thus, it is respectfully submitted that these rejections should be withdrawn.

#### **IV. CLAIM REJECTIONS – 35 U.S.C. § 102(b)**

Claims 1-14 stand rejected under 35 U.S.C. § 102(b) as anticipated by European Published Application No. EP 1,349,098 to Dewaele (hereinafter “Dewaele”). (See 10/7/08 Office Action, pp. 3-7.)

Claim 1 recites “[a] method of processing user interaction in a medical environment with a medical image for producing measurement data related to graphics on the medical image, wherein the graphics on the medical image comprises at least one graphic object, said method comprising the step of removably attaching at least one dynamic measurement object based on said measurement data to said graphic object.”

Addressing the limitation “removably attaching at least one dynamic measurement object based on said measurement data to said graphic object,” the Examiner cites paragraph [0062] of Dewaele. (See *id.*, p. 3.) The cited portion of Dewaele states:

In one embodiment, all user-requested measurement points are mapped prior to generating the measurement objects that depend on them. All measurement objects are highlighted on the digital sketch upon which a copy of the object is generated and the user is requested to drag and adjust the copy to its corresponding position in the actual radiographic image. When all measurement points are available, the depending measurement objects are generated and the result of the measurement operators is computed.  
(Dewaele, ¶ [0062].)

Dewaele does not describe a method wherein a dynamic measurement object is attached to a graphic object. Rather, in the method described by Dewaele, a plurality of measurement points on a digital image are selected. (See *id.*, ¶ [0062], [0095]-[0109].) A user adjusts the points to their corresponding position in a medical (e.g., radiographic) image. (See *id.*, ¶ [0062].) Measurement objects are then *generated* on the basis of the user-defined measurement points and their locations within the image. (See *id.*, ¶¶ [0062], [0112].). Thus, there is no teaching or

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suggestion in Dewaele of “removably attaching at least one dynamic measurement object based on said measurement data to said graphic object,” as recited in claim 1.

Further, even if it were to be assumed (which Applicant does not concede), that the measurement objects of Dewaele are “attach[ed]... to said graphic object” as recited in claim 1, the Applicant respectfully submits that Dewaele contains no disclosure or suggestion that such attachment is removable. (See id., ¶¶ [0062]-[0124].) As described above, Applicant maintains Dewaele does not teach “attaching [a] dynamic measurement object,” but even if the Examiner were to incorrectly read this into Dewaele, there is no teaching or suggestion anywhere within Dewaele that measurement objects are removable. Thus, the Applicant respectfully submits that Dewaele does not disclose “removably attaching at least one dynamic measurement object based on said measurement data to said graphic object” as recited in claim 1. Accordingly, this rejection should be withdrawn. Because claims 2-19 depend from, and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

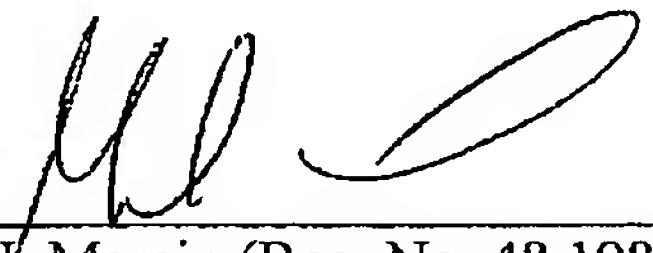
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**CONCLUSION**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: January 7, 2009  
By:   
Michael J. Marcin (Reg. No. 48,198)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, New York 10038  
Tel.: (212) 619-6000  
Fax: (212) 619-0276

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Response dated January 7, 2009  
in response to Office Action dated

October 7, 2008

## Annotated Sheet

1/5

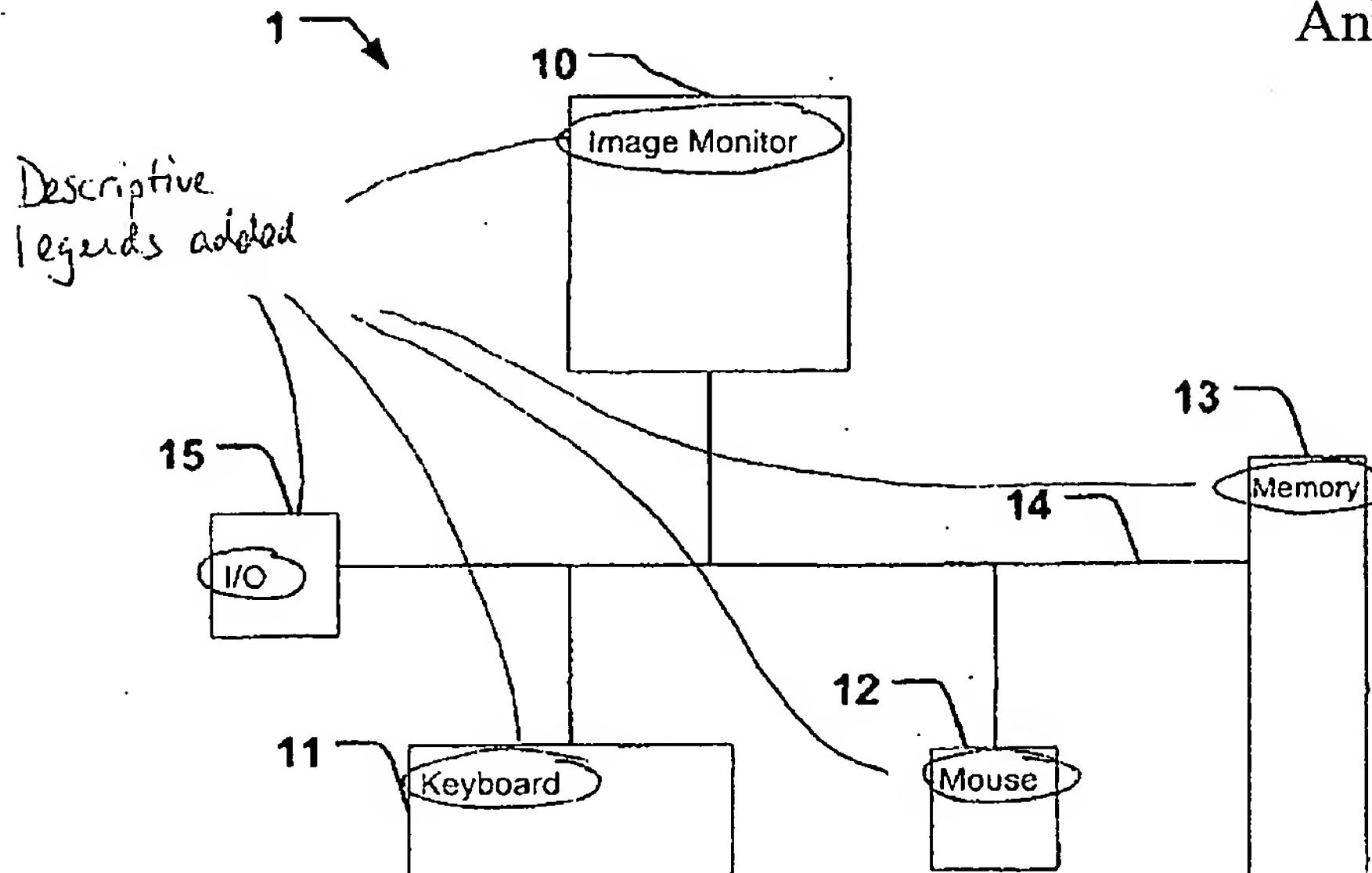


Fig. 1

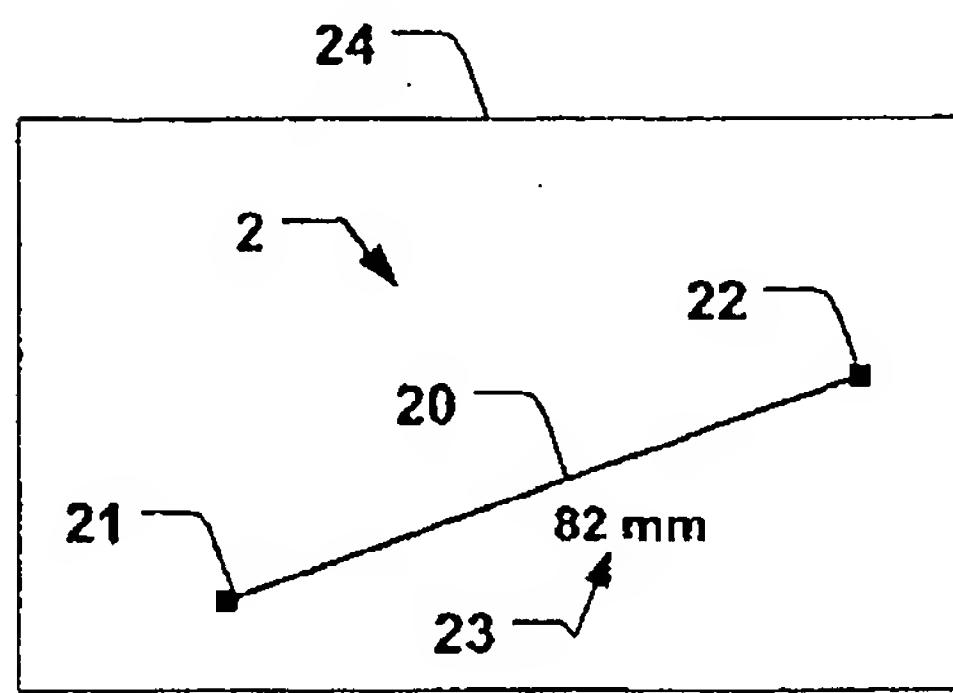


Fig. 2

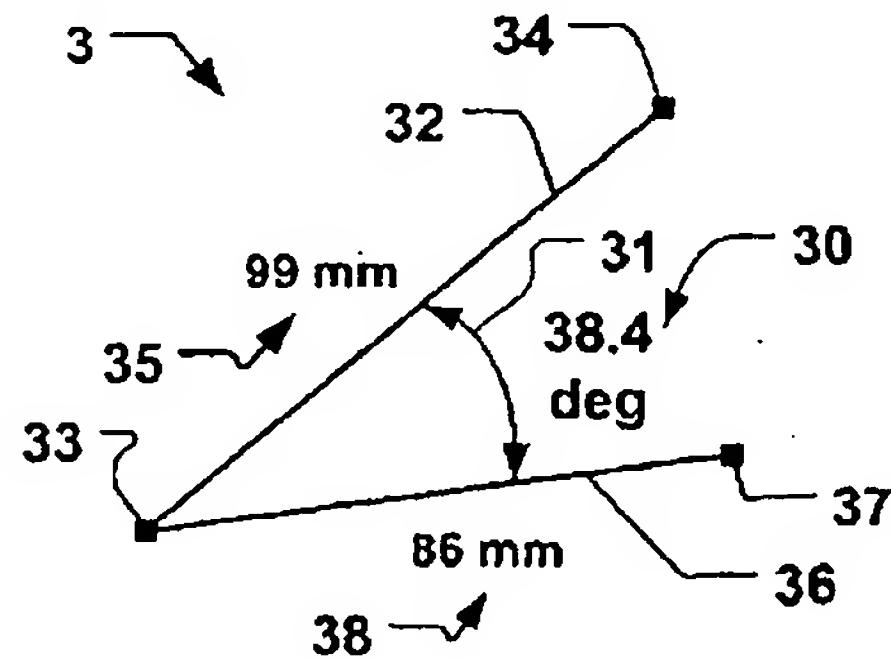


Fig. 3